

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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MICHAEL MULGREW, as President of the UNITED
FEDERATION OF TEACHERS, Local 2, American :
Federation of Teachers, AFL-CIO, VITO J. :
FOSSELLA, individually and as Staten Island :
Borough President, THE A. PHILIP RANDOLPH :
INSTITUTE, THE COALITION OF BLACK TRADE :
UNIONISTS, THE LABOR COUNCIL FOR LATIN :
AMERICAN ADVANCEMENT, JESSICA :
SCARCELLA-SPANTON, individually and as New : Civil Case No. 1:24-cv-01644-LJL
York State Senator, DAVID WEPRIN, individually : [rel. 1:24-cv-00367-LJL]
and as New York State Assemblyman, DAVID : [rel. 1:23-cv-10365-LJL]
CARR, individually and as New York City Council :
Member, NICOLE MALLIOTAKIS, individually and :
as United States Congresswoman, JOSEPH :
BORELLI, individually and as New York City :
Council Member, JAMES SKOUFIS, individually and :
as New York State Senator, ROB ROLISON, :
individually and as New York State Senator, AILEEN :
GUNTHER, individually and as New York State :
Assemblywoman, CHRISTOPHER EACHUS, :
individually and as New York State Assemblyman, :
KARL BRABENEC, individually and as New York :
State Assemblyman, BRIAN MAHER, individually :
and as New York State Assemblyman, MICHAEL :
REILLY, individually and as New York State :
Assemblyman, MICHAEL TANNOUSIS, individually :
and as New York State Assemblyman, KAMILLAH :
HANKS, individually and as New York City :
Councilmember, JAIME WILLIAMS, individually :
and as New York State Assemblywoman, ANDREW :
J. LANZA, individually and as New York State :
Senator, IWEN CHU, individually and as New York :
State Senator, MONICA MARTINEZ, individually :
and as New York State Senator, CLIFF HAGEN, :
TROY MCGHIE, MARTHA MAZIER, PAUL :
CAMINITI, CARLY BIANCHINI, HANNAH CHOI, :
FRANK GARCIA, LINDSEY LAMPF, :

Plaintiffs, :

- against - :

UNITED STATES DEPARTMENT OF :
TRANSPORTATION, FEDERAL HIGHWAY :
ADMINISTRATION, SHAILEN BHATT, in his :

NOTICE OF MOTION

official capacity as Administrator of the Federal :
 Highway Administration, RICHARD J. MARQUIS, in :
 his official capacity as Division Administrator of the :
 New York Division of the Federal Highway :
 Administration, the METROPOLITAN TRANSIT :
 AUTHORITY, the TRIBOROUGH BRIDGE AND :
 TUNNEL AUTHORITY, STEPHANIE :
 WINKELHAKE, P.E. in her official capacity as Chief :
 Engineer of the New York State Department of :
 Transportation, the NEW YORK CITY :
 DEPARTMENT OF TRANSPORTATION :
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 Defendants. :
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PLEASE TAKE NOTICE that upon the Declaration of Alan Klinger dated July 26, 2024, and the exhibits annexed thereto, the Memorandum of Law dated July 26, 2024, and upon all prior pleading and proceedings herein, Plaintiffs will move this Court before the Honorable Louis J. Liman, United States District Judge, at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, for an order pursuant to Local Civil Rule 7.1 and Federal Rule of Civil Procedure 15(a)(2), granting Plaintiffs' motion for leave to file a Second Amended Complaint, and for such other and further relief as this Court deems proper.

PLEASE TAKE FURTHER NOTICE that per the parties' proposed schedule, submitted to the Court by joint letter today (Dkt. 92), opposition to the motion, if any, is due no later than August 30th; and reply, if any, is due no later than September 23, 2024, unless otherwise agreed to by the parties or ordered by the Court.

Dated: July 26, 2024
New York, New York

STEPTOE LLP

By:

/s/ Alan M. Klinger

Alan M. Klinger

Dina Kolker

David Kahne

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New York, New York 10036

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Counsel for Plaintiffs